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# RESTRICTION ELECTION FACSIMILE TRANSMISSION

DATE: December 12, 2005

FROM/ATTORNEY: Shelby J. Walker

FIRM: ZymoGenetics, Inc.

PAGES, INCLUDING COVERSHEET: 5

PHONE NUMBER: (206) 442-6558

TO EXAMINER: Mertz, Prema Maria

ART UNIT: 1646

SERIAL NUMBER: 10/789,251

FAX/TELECOPIER NUMBER: (571) 273-8300

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PATENT APPLICATION

File No: 97-72C5

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of : Darrell C. Conklin, Betty A. Haldeman  
Serial No. : 10/789,251  
Group Art Unit : 1646  
Examiner : Mertz, Prema Maria  
Filed : February 27, 2004  
For : MAMMALIAN CYTOKINE-LIKE POLYPEPTIDE-10  
Date Submitted : December 12, 2005

**AMENDMENT FEE TRANSMITTAL**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an Amendment for the above-mentioned application. The fee required to be filed with the accompanying amendment has been calculated as shown below:

**CLAIMS AS AMENDED**

<u>Claim Type</u>	<u>Total Claims After Amendment</u>	<u>Highest No. Covered by Previous Payments</u>	<u>Extra</u>	<u>Extra Rate</u>	<u>Fees Paid</u>
Total	49	-49	0 x	<input checked="" type="checkbox"/> \$25 <input type="checkbox"/> \$50	\$0
Independent	10	-10	0 x	<input checked="" type="checkbox"/> \$100 <input type="checkbox"/> \$200	\$0

Total: \$0

Please charge any required fee to ZymoGenetics, Inc., Deposit Account No. 26-0290. A duplicate of this sheet is enclosed.

Respectfully submitted,



Shelby J. Walker  
Registration No. 45,192

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PATENT APPLICATION

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Serial No. : 10/789,251  
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Examiner : Mertz, Prema Maria  
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AMENDMENT FEE TRANSMITTAL

Mail Stop Amendment  
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<u>Claim Type</u>	<u>Total Claims</u> <u>After Amendment</u>	<u>Highest No. Covered</u> <u>by Previous Payments</u>	<u>Extra</u>	<u>Extra Rate</u>	<u>Fees Paid</u>
Total	49	49	0 x	<input checked="" type="checkbox"/> \$25 <input type="checkbox"/> \$50	\$0
Independent	10	10	0 x	<input checked="" type="checkbox"/> \$100 <input type="checkbox"/> \$200	\$0

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Respectfully submitted,



Shelby J. Walker  
Registration No. 45,192

**Response to Restriction Requirement**

Page 1 of 2

Applicants: Darrell C. Conklin, Betty A. Haldeman

Serial No.: 10/789,251

Filed: February 27, 2004

For: MAMMALIAN CYTOKINE-LIKE POLYPEPTIDE-10

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**PATENT APPLICATION**

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office at (571) 273-8300 on the date entered below.

December 12, 2005

Date



Tom Orrison

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : Darrell C. Conklin, Betty A. Haldeman  
Serial No. : 10/789,251  
Filed : February 27, 2004  
For : MAMMALIAN CYTOKINE-LIKE POLYPEPTIDE-10

Examiner : Mertz, Prema Maria  
Art Unit : 1646  
Docket No. : 97-72C5  
Date : December 12, 2005

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO RESTRICTION REQUIREMENT**

Sir:

The Restriction Requirement mailed November 23, 2005, has been received and reviewed.

The Office Action sets forth a restriction requirement under 35 USC §121.

Applicants were requested to elect one of four designated groups as briefly noted below:

I. Claims 1-9, 19-21, 32-34, 37, 41-43, and 46, drawn to an expression vector comprising a nucleic acid encoding a protein of amino acid sequence set forth in SEQ ID NO:2, a host cell, and a method of producing the protein, classified in class 536, subclass 23.5.

**Response to Restriction Requirement**

Page 2 of 2

Applicants: Darrell C. Conklin, Berry A. Haldeman

Serial No.: 10/789,251

Filed: February 27, 2004

For: MAMMALIAN CYTOKINE-LIKE POLYPEPTIDE-10

II. Claims 10-18, 35, 36, 44, and 45, drawn to an expression vector comprising a nucleic acid encoding a protein of amino acid sequence set forth in SEQ ID NO:4, a host cell, and a method of producing the protein, classified in class 536, subclass 23.5.

III. Claims 22-27, 38, 39, 47, and 48, drawn to an expression vector comprising a nucleic acid encoding a protein of amino acid sequence set forth in SEQ ID NO:19, a host cell, and a method of producing the protein, classified in class 536, subclass 23.5.

IV. Claims 28-31, 40, and 49, drawn to an expression vector comprising a nucleic acid encoding a protein of amino acid sequence set forth in SEQ ID NO:34, a host cell, and a method of producing the protein, classified in class 536, subclass 23.5.

In response to the Requirement for Restriction Election, Applicants elect Group I, claims 1-9, 19-21, 32-34, 37, 41, 42, 43, and 46, drawn to an expression vector comprising a nucleic acid encoding a protein of amino acid sequence set forth in SEQ ID NO:2, a host cell, and a method of producing the protein, classified in class 536, subclass 23.5.

Early reconsideration and allowance of the pending claims under examination are respectfully requested. If the Examiner believes that a telephone interview would expedite prosecution of the above-identified patent application, please call the undersigned at (206) 442-6558.

Respectfully Submitted,



Shelby J. Walker  
Registration No. 45,192

**Enclosures:**

Amendment Fee Transmittal (in duplicate)

ZymoGenetics, Inc.  
1201 Eastlake Avenue East  
Seattle, Washington 98105